

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:23-CV-29-MR-WCM

FIRST NATIONAL TITLE
INSURANCE COMPANY,

Plaintiff,

v.

BUCCANEER TITLE, LLC,

Defendant.

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ORDER

This matter is before the Court *sua sponte* for case management purposes.

In its Amended Complaint, Plaintiff asserts that this Court may exercise subject matter jurisdiction pursuant to 28 U.S.C. § 1332. Doc. 11.

The record is unclear, though, regarding the citizenship of the parties.

With respect to Plaintiff, the Amended Complaint alleges that Plaintiff is a corporation formed and domiciled under the laws of the State of Texas that maintains its principal place of business in Plano, Texas. *Id.* at ¶ 5. However, Plaintiff has also filed a Disclosure by Party or Intervenor in a Diversity Case (the “Citizenship Disclosure Statement”), which indicates that other entities, including a separate limited liability company, may have citizenship attributable to Plaintiff. *See* Doc. 2; Fed. R. Civ. P. 7.1(a)(2) (requiring that a

party in a diversity case must, unless the court orders otherwise, file a disclosure statement that names and identifies the citizenship of every individual or entity whose citizenship is attributed to that party); Cent. W. Va. Energy Co., Inc. v. Mountain State Carbon, LLC, 636 F.3d 101, 103 (4th Cir. 2011) (“For purposes of diversity jurisdiction, the citizenship of a limited liability company . . . is determined by the citizenship of all of its members.”); Jennings v. HCR ManorCare, Inc., 901 F.Supp.2d 649, 651 (D.S.C. 2012) (“an LLC’s members’ citizenship must be traced through however many layers of members there may be”).

With respect to Defendant, that party’s citizenship is not sufficiently clear from the Amended Complaint, Doc. 11 at ¶ 6, and Defendant has not filed a Citizenship Disclosure Statement.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff shall file an Amended Citizenship Disclosure Statement.
2. Defendant shall file a Citizenship Disclosure Statement.
3. Both statements shall comply with Rule 7.1(a)(2) and shall be filed on or before **September 19, 2023**.

Signed: September 12, 2023



W. Carleton Metcalf
United States Magistrate Judge

